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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Johannes Jacobus Van Vaals

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03/23/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

595 MINER ROAD

CLEVELAND, OH 44143

EXAMINER

ROY, BAISAKHI

ART UNIT

PAPER NUMBER

3737

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 3-7 have been considered but are moot in view of the new ground(s) of rejection. Applicant's attention is directed to Chakeres, col. 13 lines 7-12, which teaches the use of laser localizing light of the imager as a visualization means but does not explicitly teach the use of an adjustable light fan, which is taught by Riehl et al and has been addressed previously.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chakeres in view of Riehl et al. Chakeres discloses a MRI based diagnostic imaging apparatus for guiding an interventional apparatus by positioning a patient within the imaging volume of the diagnostic apparatus, using the imaging means for acquiring a diagnostic image in an imaging plane comprising a target area of the patient, and using the visualization means for visualizing a projection of the imaging plane of the diagnostic image on the patient's skin (abstract, col. 7 lines 47-67, col. 8 lines 1-8, claim 16). The steps include calculating an approach trajectory for the interventional apparatus comprising an entry point on the patient's skin and a target point within the

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target area and inserting the interventional apparatus in the patient according to the calculated approach trajectory (col. 8 lines 12-37).

Chakeres teaches the use of laser localizing light of the imager as a visualization means (col. 13 lines 7-12) but does not explicitly teach an adjustable light fan as the visualization means. In the same field of endeavor Riehl et al. disclose a patient alignment system utilizing light fan beams (col. 3 lines 37-68, col. 4 lines 1-13). It would have been obvious to one of ordinary skill in the art to use the teaching by Riehl et al. to modify the teaching by Chakeres for the purpose of enabling correct alignment (col. 13 lines 7-13).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baisakhi Roy whose telephone number is 571-272-7139. The examiner can normally be reached on M-F (7:30 a.m. - 4p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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